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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/812,207	03/19/2001	Brian K. Pepin	MS158541.1	9615
27195	7590	01/26/2005		
AMIN & TUROCY, LLP 24TH FLOOR, NATIONAL CITY CENTER 1900 EAST NINTH STREET CLEVELAND, OH 44114			EXAMINER FOWLKES, ANDRE R	
			ART UNIT 2122	PAPER NUMBER

DATE MAILED: 01/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

09/812,207

Applicant(s)

PEPIN ET AL.

Examiner

Andre R. Fowlkes

Art Unit

2122

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 23 November 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
- b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
 - (b) ☐ they raise the issue of new matter (see Note below);
 - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____.

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: Applicant's remarks are not persuasive (see item 10).
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____.

Claim(s) objected to: _____.

Claim(s) rejected: 1-22.

Claim(s) withdrawn from consideration: _____.

8. ☐ The drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☒ Other: See Continuation Sheet

Continuation of 10. Other: Applicants arguments have been considered but they are not persuasive.

In the remarks, the applicant has argued substantially that:

1) Sarkar is silent with regard to teaching a development tool, a type descriptor adapted to access metadata associated with the software component, the type descriptor operative to dynamically provide information associated with the software component to the development tool to facilitate application development, at p. 8:21-28.

Examiner's response:

1) The examiner disagrees with the applicants characterization of the applied art. Sarkar discloses:
- a development tool (col. 5:11-14, "it is a primary objective of the present invention to provide a mechanism (i.e. development tool) for representing and manipulating ... objects"), and
- a type descriptor adapted to access metadata associated with the software component, (col. 11 lines 54-63, "Component schema and packages talk to each other through object request brokers (i.e. type descriptor). A query with table names, attribute names, method names from various component schema is resolved ... This information stored in the data dictionary is often called the meta data"), the type descriptor operative to dynamically provide information associated with the software component to the development tool to facilitate application development, (col. 5:58-6:8, "In yet another embodiment, SQL queries uniformly manipulate disparate relational data and other complex web objects. So far SQL queries are limited to a specific relational database with ... the meta data repository). Present invention uses URLs as locators for remote database objects and SQL queries (i.e. the type descriptor) uniformly manipulate (i.e. dynamically provides information and facilitates application development) ... attributes and objects... Components of the SQL query are extracted during this phase for sending to remote databases pointed to by URLs for further preparations. This preparation and initialization phase at multiple sites completes before the actual collaborative multi-level execution takes place").

In the remarks, the applicant has argued substantially that:

2) Sarkar does not disclose a type descriptor that accesses metadata associated with the software component and dynamically provides information to the development tool, at p. 9:3-13.

Examiner's response:

2) The examiner disagrees with the applicants characterization of the applied art. Sarkar discloses that the "SQL queries are limited to a specific relational database with ... the meta data repository. Present invention uses URLs as locators for remote database objects and SQL queries (i.e. the type descriptor) uniformly manipulate (i.e. dynamically provides information and facilitates application development) ... attributes and objects. Components of the SQL query are extracted during this phase for sending to remote databases pointed to by URLs for further preparations (i.e. information is provided to the development tool to facilitate application development). This preparation and initialization phase at multiple sites completes before the actual collaborative multi-level execution takes place", at col. 5:58-6:8.

In the remarks, the applicant has argued substantially that:

4) Sarkar does not disclose an instance of a component or any system of receiving information regarding an instance of a component, at p. 10:9-30

Examiner's response:

4) The examiner disagrees with the applicants characterization of the applied art. Sarkar discloses "the Java class implementing the instance", at col. 8:25-26

In the remarks, the applicant has argued substantially that:

5) Sarkar does not disclose determining whether an instance of a component is contained by a container, at p. 11:9-10

Examiner's response:

5) Sarkar does disclose that "comparison operators are defined to compare ... web objects (i.e. components) for ... containment (i.e. determining whether an instance of a component is contained by a container)", at col. 5:49-51.

In the remarks, the applicant has argued substantially that:

6) Sarkar does not disclose determining whether any other contained component desires to modify information regarding the instance of the component or modifying the information regarding the instance of the component, at p. 11:15-23

Examiner's response:

6) The examiner disagrees with the applicants characterization of the applied art. Sarkar discloses that the "Present invention uses URLs as locators for remote database objects and SQL queries uniformly manipulate (i.e. modifying) ... attributes (i.e. information regarding the instance of a component) and objects. Components of the SQL query are extracted during this phase for sending to remote databases pointed to by URLs for further preparations (i.e. modification)", at col. 5:58-6:8, and "comparison operators are defined to compare ... web objects (i.e. components) for ... containment (i.e. determining whether an instance of a component is contained by a container)", at col. 5:49-51.

In the remarks, the applicant has argued substantially that:

7) Sarkar is silent concerning any implementation of an interface for manipulating information regarding an instance of a component or any utilization of a type descriptor filter interface, at p. 11:24-12:2 & p. 12:11-13.

Examiner's response:

7) The examiner disagrees with the applicants characterization of the applied art. Sarkar discloses that the "Present invention uses URLs as locators for remote database objects and SQL queries (i.e. the type descriptor filter interface) uniformly manipulate ... attributes (i.e. information regarding the instance of a component) and objects", at col. 5:58-6:4.

In the remarks, the applicant has argued substantially that:

8) Sarkar does not disclose storing the information regarding the instance of the component, at p. 12:19-21.

Examiner's response:

8) The examiner disagrees with the applicants characterization of the applied art. Sarkar discloses that the "SQL queries are limited to a specific relational database with ... the meta data repository (i.e. stored information regarding the instance of a component). Present invention uses URLs as locators for remote database objects and SQL queries uniformly manipulate (i.e. modifying) ... attributes (i.e. information regarding the instance of a component) and objects. Components of the SQL query are extracted during this phase for sending to (i.e. stored in) remote databases", at col. 5:58-6:8..



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